

Congress of the United States
Washington, DC 20515

March 11, 2003

The Honorable John Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

We are writing to express our dismay with the manner in which the Violence Against Women Office Act (the "VAWO Act") is being implemented. Despite clear and unambiguous statutory language to the contrary, we understand that the Violence Against Women Office ("VAWO") has been established as part of the Office of Justice Programs ("OJP"). Moreover, we understand that the Director of VAWO reports to the Assistant Attorney General for OJP – not to the Attorney General. Both of these decisions violate the letter and spirit of the law.

Congress overwhelmingly passed the VAWO Act in order to permanently establish a strong, independent voice for victims of violence within the Department of Justice. It is shocking that the Department has gone out of its way to read the VAWO Act in the narrowest possible way that provides the least protection to victims of violence. It unfortunately reflects a lack of commitment to the problem of domestic violence by the Department. This is the very problem that the VAWO Act was intended to remedy.

As part of the 21st Century Department of Justice Appropriations Authorization Act (P.L. 107-273), the VAWO Act was enacted last fall. The Act contains the following subsection:

(b) SEPARATE OFFICE - The [Violence Against Women] Office shall be a *separate and distinct office* within the Department of Justice, headed by a Director, *who shall report to the Attorney General* and serve as Counsel to the Attorney General on the subject of violence against women, and who shall have final authority over all grants, cooperative agreements, and contracts awarded by the Office." (Emphasis added).

The plain language of the statute could not be more clear. Congress established VAWO to be a separate, independent office within the Department – not a subsection of a division of DOJ. In addition, the VAWO Act is clear that the Director shall report to the Attorney General – not an Assistant Attorney General. By relegating VAWO to a department within OJP, and by requiring the Director to report to the Assistant Attorney General for OJP, the Department is violating the VAWO Act and acting contrary to the will of Congress.

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The plain meaning of the VAWO Act is reinforced by its legislative history. On May 1, 2002, the House of Representatives passed a Motion to Instruct the Conferees by a vote of 416-3 which instructed the House conferees to adopt the Senate language that created a separate, independent VAWO that was not a subdivision of OJP. (H1990, 107th Congress). The overwhelming, bipartisan vote of the House of Representatives to establish an independent VAWO with a strong Director indicates Congress' clear intent in this regard.

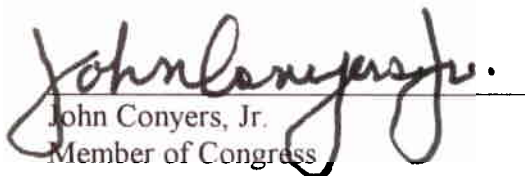
The floor debate surrounding the adoption of the Conference Report to H.R. 2215 – of which the VAWO Act was a part – further demonstrates that Members intended VAWO to be a separate office outside of OJP, and that the Director directly report to the Attorney General. During the debate, Representative Slaughter stated,

The conference report creates an independent Violence Against Women Office within the Department of Justice, rather than making the office simply a subsidiary part of the Office of Justice programs. (H6746, 107th Congress).

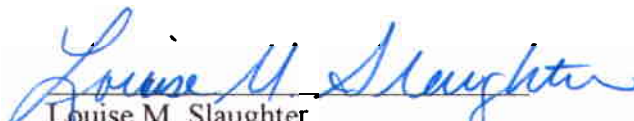
Likewise, Representative Conyers stated that the Conference Report established an "independent Violence Against Women Office within the Department of Justice. [The VAWO Act] raises the profile of the Office by having its Director report directly to the Attorney General instead of through other subordinates." (H6750, 107th Congress).

The Department's misguided attempt to undermine the independence and authority of VAWO and its Director are not only contrary to law, but they are contrary to the spirit and intent of the VAWO Act. We strongly urge you to reconsider the placement of VAWO so that it is a separate and distinct office outside of OJP, and to allow the Director to report directly to the Attorney General, as Congress intended.

Sincerely,


John Conyers, Jr.
Member of Congress



Tammy Baldwin
Member of Congress


Louise M. Slaughter
Member of Congress


Jerrold Nadler
Member of Congress



Anthony Weiner
Member of Congress



Sheila Jackson Lee
Member of Congress



Maxine Waters
Member of Congress



Linda Sanchez
Member of Congress



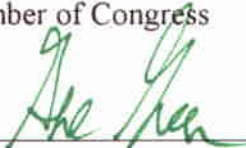
Robert Filner
Member of Congress



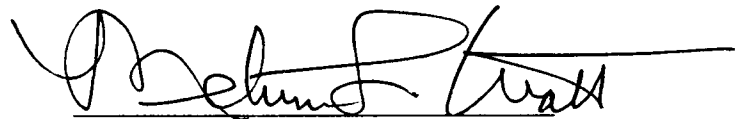
Eleanor Holmes Norton
Member of Congress



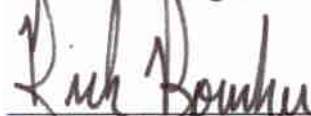
Peter Deutsch
Member of Congress



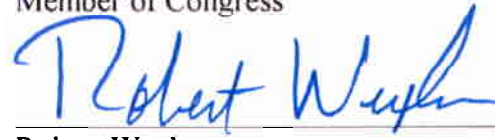
Gene Green
Member of Congress



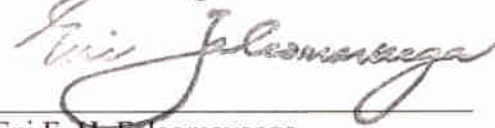
Melvin L. Watt
Member of Congress



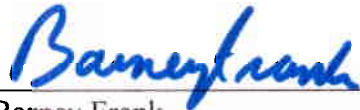
Rick Boucher
Member of Congress



Robert Wexler
Member of Congress



Eni F. H. Faleomavaega
Member of Congress



Barney Frank
Member of Congress



Sherrod Brown
Member of Congress



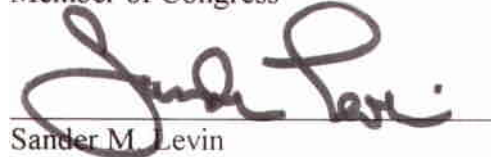
Bernard Sanders
Member of Congress



Dale E. Kildee
Member of Congress



Michael R. McNulty
Member of Congress



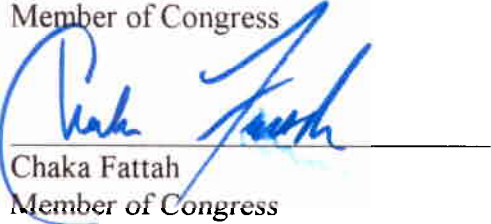
Sander M. Levin
Member of Congress



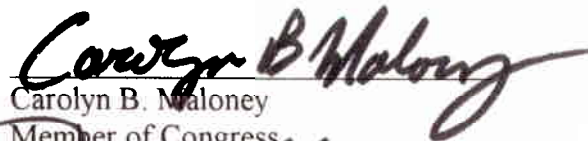
Robert E. Andrews
Member of Congress



Corrine Brown
Member of Congress



Chaka Fattah
Member of Congress



Carolyn B. Maloney
Member of Congress



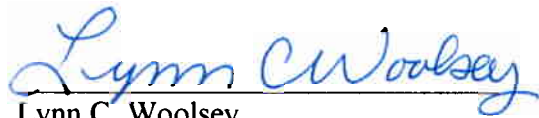
John Dingell
Member of Congress



Marcy Kaptur
Member of Congress



Martin Frost
Member of Congress



Lynn C. Woolsey
Member of Congress



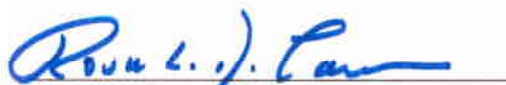
Norm Dicks
Member of Congress



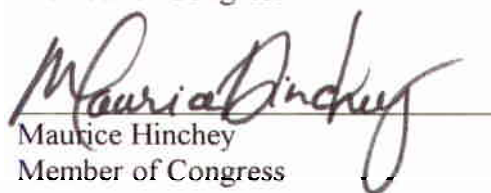
Chet Edwards
Member of Congress




Lane Evans
Member of Congress



Rosa DeLauro
Member of Congress



Maurice Hinchey
Member of Congress



William Lipinski
Member of Congress

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Luis Gutierrez
Member of Congress



Eliot Engel
Member of Congress



Tom Lantos
Member of Congress



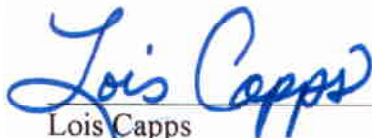
Baron P. Hill
Member of Congress



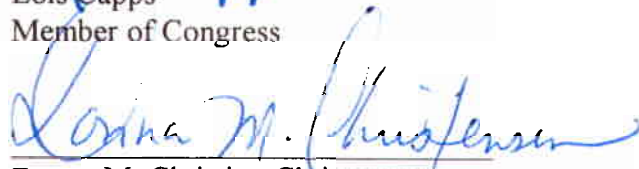
John Larson
Member of Congress



Eddie Bernice Johnson
Member of Congress



Lois Capps
Member of Congress



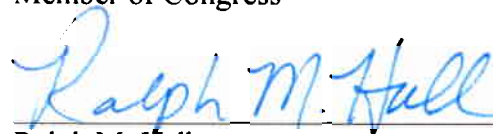
Donna M. Christian-Christenson
Member of Congress



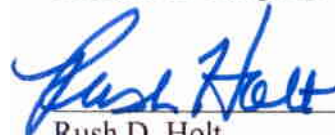
Major R. Owens
Member of Congress



Gary Ackerman
Member of Congress



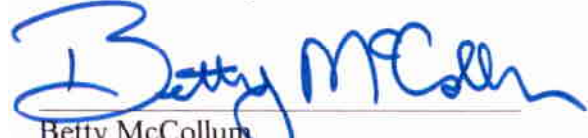
Ralph M. Hall
Member of Congress



Rush D. Holt
Member of Congress



Barbara Lee
Member of Congress



Betty McCollum
Member of Congress



Tom Allen
Member of Congress



Jim Cooper
Member of Congress

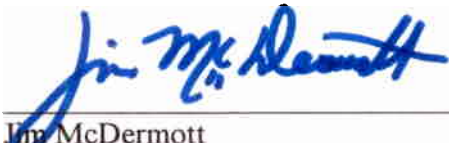
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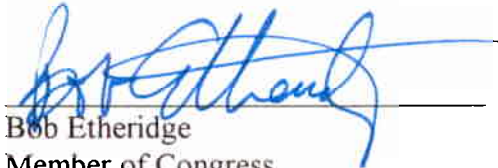
Elijah E. Cummings
Member of Congress



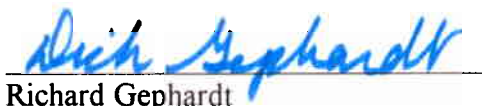
Jim McDermott
Member of Congress



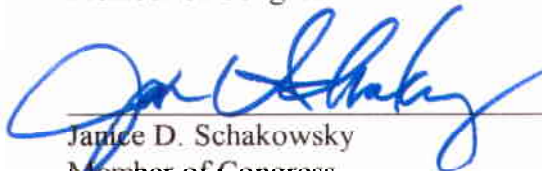
Marion Berry
Member of Congress



Bob Etheridge
Member of Congress



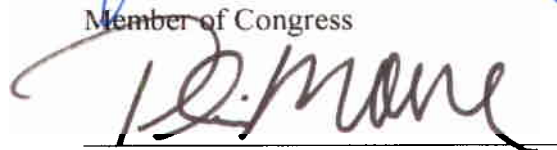
Richard Gephardt
Member of Congress



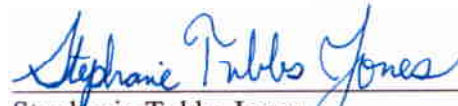
Janice D. Schakowsky
Member of Congress



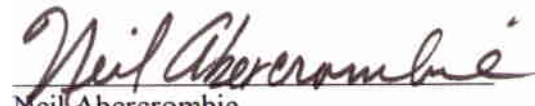
Frank W. Ballance, Jr.
Member of Congress



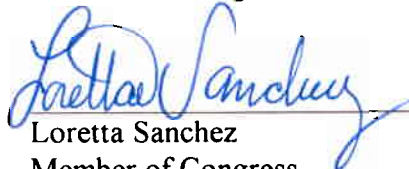
Dennis Moore
Member of Congress



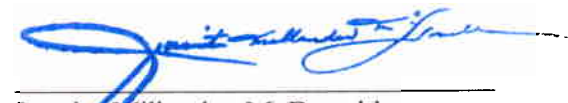
Stephanie Tubbs Jones
Member of Congress




Neil Abercrombie
Member of Congress



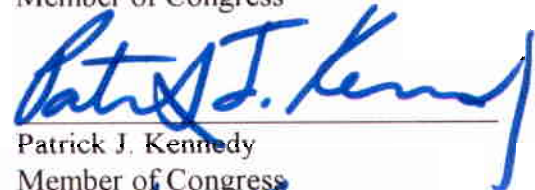
Loretta Sanchez
Member of Congress



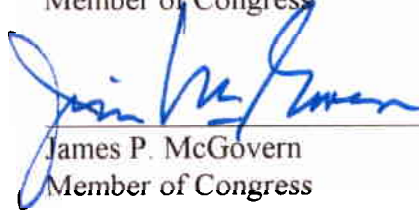
Juanita Millender-McDonald
Member of Congress



Raul M. Grijalva
Member of Congress



Patrick J. Kennedy
Member of Congress



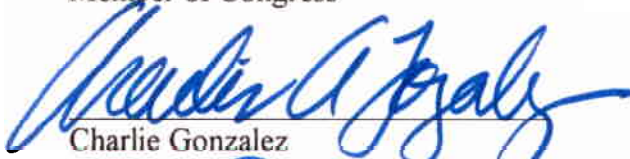
James P. McGovern
Member of Congress




Joseph Hoefel
Member of Congress



Julia Carson
Member of Congress



Charlie Gonzalez
Member of Congress



Pete Stark
Member of Congress



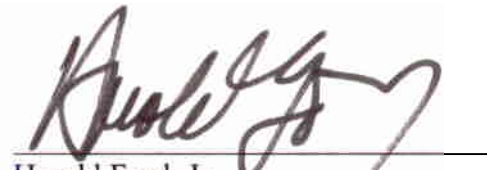
Robert A. Brady
Member of Congress



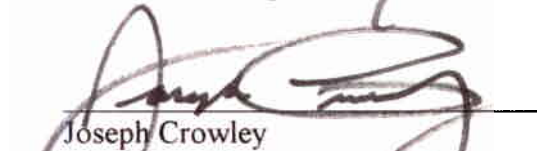
Anibal Acevedo-Vila
Member of Congress




Ed Case
Member of Congress



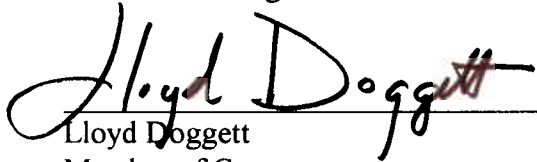
Harold Ford, Jr.
Member of Congress



Joseph Crowley
Member of Congress



Anna G. Eshoo
Member of Congress



Lloyd Doggett
Member of Congress



John Tierney
Member of Congress



Diane E. Watson
Member of Congress